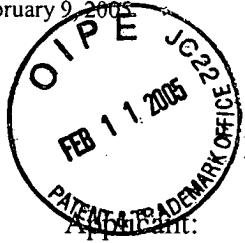


2600

DJT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher T. Koh

Application No.: 09/507,532 Group: 2600

Filed: February 18, 2000 Examiner: Krista Zele

Date of Allowance: August 26, 2003

Confirmation No.: 7957

For: FREQUENCY CONVERSION CIRCUIT USING COMMON LOCAL SYNTHESIZER

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

2/9/05 Nadine Z. Kush

Date

Signature

Nadine Z. Kush

Typed or printed name of person signing certificate

STATUS INQUIRY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request the Patent Office to indicate the status of the above application.

In accordance with MPEP 711.03, on February 6, 2004, Applicants filed a Petition To Withdraw Holding of Abandonment (“Petition”). The Petition was received by the U.S. Patent and Trademark Office on February 9, 2004, as indicated by the Patent Office mailroom stamp on the postcard that was mailed with the Petition (See Exhibit A). The Petition included a copy of

Applicants' last complete response as filed including a copy of the Response to the Notice of Allowance and Fee(s) Due, with accompanying fee, each having a Certificate of First Class mailing thereon, a Notification of Change to Small Entity Status, Statement Claiming Small Entity Status, Transmittal of Replacement Drawings and drawing sheets that were mailed on October 27, 2003 and received by the U.S. Patent and Trademark Office on October 29, 2003. A copy of the Petition and attachments as filed on February 9, 2004 are enclosed (Exhibit B).

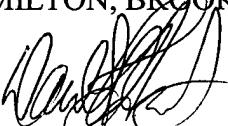
To date Applicants have received no further communication from the U.S. Patent and Trademark Office. Applicants respectfully request notification from the U.S. Patent and Trademark Office on the status of this patent application.

If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned at (978) 431-0036.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By \_\_\_\_\_

  
David J. Thibodeau, Jr.  
Registration No. 31,671  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 2/9/05



Initials: DJT/nzk

Docket No.: 2695.2002-000

Date: 2/6/04

This is to acknowledge receipt of the following documents each filed under Certificate of Mailing Procedure 37 C.F.R. 1.8:

Petition To Withdraw Holding Of Abandonment Under MPEP 711.03  
 Certificate Under 37 C.F.R. 3.73(b) \_\_\_\_\_ doc(s)  
 Check for \$\_\_\_\_\_ Authorization to charge fees  
 Other: Copy of: 1) Date Stamped Postcard; 2) Issue Fee Transmittal;  
3) Notification of Change to Small Entity Status Statement; 4) Statement Claiming  
Small Entity Status; 5)Transmittal of Replacement Drawings ; 6) Drawing Sheets 1/2-2/2

Applicant: Christopher T. Koh

Application No.: 09/507,532

Filed: February 18, 2000

Title: Frequency Conversion Circuit Using Common Locus ...

Date received by the PTO:



EXHIBIT

A



# COPY

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher T. Koh

Application No.: 09/507,532 Group: 2684

Filed: February 18, 2000 Examiner: T. Gesesse

Date of Allowance: August 26, 2003

Confirmation No.: 7957

For: FREQUENCY CONVERSION CIRCUIT USING COMMON LOCAL SYNTHESIZER

## CERTIFICATE OF MAILING OR TRANSMISSION

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2/16/04 Nadine Z. Kush

Date Signature

Nadine Z. Kush

Typed or printed name of person signing certificate

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

MAILSTOP ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

A Notice of Abandonment of the above-referenced patent application was mailed from the U.S. Patent and Trademark Office on January 9, 2004. The Notice indicates that the subject application is abandoned in view of Applicant's failure to respond to the Notice of Allowability mailed on August 26, 2003. Applicant's are responding herewith in accordance with MPEP 711.03.

B

As evidenced by the enclosed copy of the postcard receipt which is date stamped by the U.S. Patent and Trademark Office, a Response to the Notice of Allowance and Fee(s) Due, with accompanying fee, each having a Certificate of First Class mailing thereon, were mailed on October 27, 2003 and received by the U.S. Patent and Trademark Office on October 29, 2003. This response included a set of formal drawings.

For the convenience of the Examiner, a copy of the complete response, as filed, is enclosed in the event that the originally filed documents cannot be located.

Applicant's Attorney submits that the Notice was issued in error, and hereby requests that a Withdrawal of Abandonment be issued and the instant application be returned to pending status.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By   
David J. Thibodeau, Jr.  
Registration No. 31,671  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 2/6/04

**COPY**

Initials: DJT/nzk/(dc/rem) Docket No.: 2695.2002-000 Date: 10/27/03

This is to acknowledge receipt of the following documents each filed under Certificate of Mailing Procedure 37 C.F.R. 1.8:

ISSUE FEE TRANSMITTAL w/copy

Includes Publication Fee

Statement of Small Entity       Transmittal of Replacement Drawings  
 Check for \$710.00       DRAWINGS 2 Sheets  
 Authorization to Charge Fees  
 Other Notification of Change to Small Entity Statement Status

Applicant: Christopher T. Koh

Application No.: 09/507,532

Filed: February 18, 2000

Title: Frequency Conversion Circuit...

Date of Allowance: August 26, 2003

Date received by the PTO:

OCT 29 2003  
PATENT & TRADEMARK OFFICE  
U.S. GOVERNMENT

::ODMA\MHODMA\iManage;422708;1

..ODMA\HODMAN\Manage;429596;1  
DJT/nzk(rem)  
10/24/03



PATENT APPLICATION  
Docket No.: 2695.2002-000  
Date of Allowance: 08/26/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

Applicant: Christopher T. Koh

Application No.: 09/507,532 Group: 2684

Filed: February 18, 2000 Examiner: T. Gesesse

Confirmation No.: 7957

For: FREQUENCY CONVERSION CIRCUIT USING  
COMMON LOCAL SYNTHESIZER

CERTIFICATE OF MAILING OR TRANSMISSION

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10/27/03



Date

Signature

Carol M. Bowerman

Typed or printed name of person signing certificate

NOTIFICATION OF CHANGE TO SMALL ENTITY STATUS

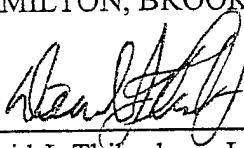
Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This application now qualifies for small entity status. A Small Entity Statement is enclosed.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

David J. Thibodeau, Jr.

Registration No. 31,671

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 10/27/03

O I P E  
FEB 11 2005  
JC22  
PATENT AND TRADEMARK OFFICE

STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.27(a))-SMALL BUSINESS CONCERN

DOCKET NUMBER: 2695.2002-000

COPY

Applicant or Patentee: Christopher T. Koh  
Application or Patent No.: 09/507,532  
Filed or Issued: February 18, 2000  
Title: Frequency Conversion Circuit Using Common Local Synthesizer

I hereby state that I am

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Telaxis Communications Corporation  
ADDRESS OF SMALL BUSINESS CONCERN 20 Industrial Drive East, P.O. Box 109  
South Deerfield, Massachusetts 01373-0109

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416 or you may call 202-205-6618.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

the specification filed herewith with title as listed above.  
 the application identified above.  
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each person, concern or organization having rights in the invention must file separate statements as to their status as small entities. No rights to the invention are held by any person who would not qualify as a person under 37 CFR 1.27(a)(1), or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3).

Each additional person, concern or organization having any rights in the invention is listed below:

no such person, concern, or organization exists.  
 each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)(2))

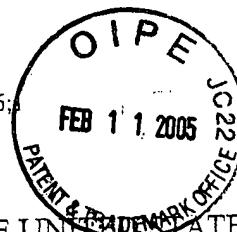
NAME OF PERSON SIGNING David L. Renauld, Esq.

TITLE OF PERSON IF OTHER THAN OWNER Vice President, Legal and Corporate Affairs

ADDRESS OF PERSON SIGNING 20 Industrial Drive East, P.O. Box 109, South Deerfield, MA 01373-0109

SIGNATURE David L. Renauld DATE October 20, 2003

::ODMA\MHODMA\iManage;422706:  
DJT/hzk/(dc/rem)  
10/24/03



PATENT APPLICATION  
ocket No.: 2695.2002-000  
Date of Allowance: 08/26/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher T. Koh

Application No.: 09/507,532 Group: 2684

Filed: February 18, 2000 Examiner: T. Gesesse

Confirmation No.: 7957

For: FREQUENCY CONVERSION CIRCUIT USING COMMON LOCAL  
SYNTHESIZER

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on 10/27/03 Carol M. Bowerman  
Date Signature

Carol M. Bowerman

Typed or printed name of person signing certificate

TRANSMITTAL OF REPLACEMENT DRAWINGS

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are replacement drawings consisting of 2 sheets, figures 1 and 2, for filing in the subject patent application.

These replacement drawings are transmitted herewith in reply to the Notice of Allowability mailed from the U.S. Patent and Trademark Office on August 26, 2003

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By David J. Thibodeau, Jr.  
David J. Thibodeau, Jr.  
Registration No. 31,671  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 10/27/03



## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**Alexandria, Virginia 22313-1450**  
**or Fax (703) 746-4000**

**COPY**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)  
 21005 7590 08/26/2003

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
 530 VIRGINIA ROAD  
 P.O. BOX 9133  
 CONCORD, MA 01742-9133

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Carol M. Bowerman	(Depositor's name)
<i>Carol M. Bowerman</i>	
(Signature)	
October 27, 2003	
(Date)	

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/507,532	02/18/2000	Christopher T. Koh	2695.200200	7957

TITLE OF INVENTION: FREQUENCY CONVERSION CIRCUIT USING COMMON LOCAL SYNTHESIZER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$665	\$1300	\$665

EXAMINER	ART UNIT	CLASS-SUBCLASS
GESESSE, TILAHUN	2684	455-314000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). <input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. <input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. <b>Use of a Customer Number is required.</b>	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
1 <u>Hamilton, Brook, Smith &amp; Reynolds, P.C.</u> 2 _____ 3 _____	

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Telaxis Communications Corporation      South Deerfield, Massachusetts

Please check the appropriate assignee category or categories (will not be printed on the patent);     individual     corporation or other private group entity     government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee

A check in the amount of the fee(s) is enclosed.

Publication Fee

Payment by credit card. Form PTO-2038 is attached.

Advance Order - # of Copies 15

The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 08-0380 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) 	(Date) <u>10/27/03</u>
----------------------------	---------------------------

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)